

AF/1617
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Yoshimitsu IIDA, et al.

Appln. No. 10/069,755

Date Filed: February 28, 2002

For: SOFT CAPSULE FORMULATIONS



Art Unit: 1617

Examiner: E. Webman

Washington, D.C.

Atty.'s Docket: IIDA=20

Date: May 18, 2004

Confirmation No. 3713

BOX AF
Corres and Mail

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1803
Arlington, Virginia 22202

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1617

Sir:

Transmitted herewith is a [X]REPLY TO FINAL ACTION: PROPOSED AMENDMENT AND REMARKS in the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] Applicant claims small entity status. See 37 C.F.R. §1.27.

[XX] No fee is required.

The fee has been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) | SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|---|----------------------------------|----------|---------------------------------|----------------------|----------------------|----------------|----|-------------------------|----------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS | RATE | ADDITIONAL FEE | | RATE | ADDITIONAL FEE |
| TOTAL | * 16 | MINUS | ** 20 | | x 9 | \$ | | x 18 | \$ |
| INDEP. | * 5 | MINUS | *** 5 | | x 43 | \$ | | x 86 | \$ |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | + 145 | \$ | | + 289 | \$ |
| | | | | | ADDITIONAL FEE TOTAL | | | TOTAL | |
| | | | | | \$ | | | \$ | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00
[] Second - \$ 210.00
[] Third - \$ 475.00
[] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00
[] Second - \$ 420.00
[] Third - \$ 950.00
[] Fourth - \$ 1480.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP **1617**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: IIDA=20

| | | |
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| In re Application of: |) | Art Unit: 1617 |
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| Yoshimitsu IIDA et al |) | Examiner: E. Webman |
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| Appln. No.: 10/069,755 |) | Washington, D.C. |
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**REPLY TO FINAL ACTION:
PROPOSED AMENDMENT AND REMARKS**

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Honorable Commissioner for Patents
Arlington, Virginia 22202

Sir:

Replying to the final Office Action mailed March 17,
2004, please amend as follows:

Amendments to the Claims are reflected in the listing of

claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.